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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/543,958	04/07/2000	Janette Bradley	A00006	2119
26643	7590	11/25/2003	EXAMINER	
PETER J. GORDON, PATENT COUNSEL AVID TECHNOLOGY, INC. ONE PARK WEST TEWKSBURY, MA 01876			CHANG, JUNGWON	
		ART UNIT		PAPER NUMBER
		2154		9
DATE MAILED: 11/25/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/543,958	BRADLEY ET AL.
	Examiner Jungwon Chang	Art Unit 2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on amendment filed 9/2/03.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-14 and 16-23 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-14 and 16-23 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 02 September 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## FINAL ACTION

1. Claim 15 has been canceled; claims 1-14 and 16-23 have been amended.

Claims 1-14 and 16-23 are presented for examination.

2. The drawings were received on 9/4/03. These drawings are accepted by a draftsperson.

3. The text of those sections of Title 35, U.S.C. 102 or 103 not included in this office action can be found in a prior action.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The claim language in the following claims is not clearly understood:

i. as to claim 1, line 6, the word "a reviewer" should be replaced with "said reviewer" if it intends to refers to "a reviewer" in line 4.

6. Claims 1-14 and 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shore et al. (6,353,461 B1), hereinafter Shore.

7. As to claim 1, Shore discloses the invention substantially as claimed, including a review and approval system for media content comprising a plurality of frames of digital data (col. 1, lines 24-33) comprising:

a player for playing the media content (col. 5, lines 20-30);  
a comment receiver for receiving comments from the reviewer pertaining to the selected one or more of the plurality of frames of the media content (col. 7, lines 52-65); and

a storage manager for storing the received comments in frame accurate correspondence with the selected one or more of the plurality of frames of digital data to which the received comments pertain (i.e., database; col. 1, lines 32-33; col. 2, lines 13-15, 20-21 and 52-56; col. 5, line 58 – col. 6, line 4; col. 7, lines 61-65).

8. Shore does not specifically disclose receiving an indication from a start frame and an end frame of a selected one or more of the plurality of frames. However, Shore discloses a particular scene (scene #12, fig. 9) that is divided into multiple frames (11 frames, 225, fig. 9; col. 11, lines 2-6). The first frame of the selected frames (11 frames, 225, fig. 9) is a start frame and the last frame of the selected frames is the end of frame. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include start and

end frames because doing so would reduce the editing time by allowing the editor to selectively edit the desired frame.

9. As to claims 2 and 3, Shore discloses the media content includes video data ordered by time code (165, figs. 5-14; col. 8, lines 39-52), and the media content includes audio data (abstract, lines 5-7; col. 4, lines 1-2).

10. As to claims 4-6, Shores discloses receiving a list of one reviewer to provide the comments (i.e., operator; col. 6, lines 17-41; col. 7, lines 52-65;); and the comments include text or voice comments (col. 5, line 65 – col. 6, line 4).

11. As to claim 7, Shore discloses the player and the comment receiver execute on a first computer system (col. 5, lines 20-30), and storage manager executes on a second computer system (i.e., database; col. 1, lines 32-33; col. 2, lines 13-15, 20-21 and 52-56; col. 5, line 58 – col. 6, line 4; col. 7, lines 61-65) and the first computer system and the second computer system are coupled by a communications network (col. 19, lines 24-31).

12. As to claim 8, it is rejected for the same reasons set forth in claim 1. Shores does not specifically disclose a file generator for producing a data file. However, Shores discloses a database functionality (585, figs. 3-14) that provides command options which are directed to maintaining the system database (col. 19, lines 41-45); and that records and manages both media and

production information (col. 1, lines 32-33; col. 2, lines 13-15, 20-21 and 52-56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include file generator because doing so would reduce memory space by allowing the user to store only the necessary media data to the database.

13. As to claims 9-12, Shores further disclose frame rate for playing the media content (col. 11, lines 39-46).

14. As to claims 20 and 21, they are rejected for the same reasons set forth in claims 1 and 8. In addition, Shores discloses a computer program product (col. 5, lines 25-30), comprising:

a computer readable medium (i.e., database; col. 1, lines 32-33; col. 2, lines 13-15, 20-21 and 52-56; col. 5, line 58 – col. 6, line 4; col. 7, lines 61-65).

15. As to claims 22 and 23, Shores further discloses the process for reviewing media content and providing comments by a user corresponding to the media content and communicating the comments to an editing system further includes communicating the one or more plurality of frames of digital data corresponding to the comments to the editing system (col. 2, lines 16-24; col. 16, lines 20-26).

16. Claims 16-18 are rejected for the same reasons set forth in claims 4-6 above.

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17. Claims 13 and 14 are rejected for the same reasons set forth in claims 2 and 3 above.

18. Claim 19 is rejected for the same reasons set forth in claim 7 above.

19. Applicant's arguments with respect to claims 1-14 and 16-23 have been considered but are moot in view of the new ground(s) of rejection.

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21. Any inquiry concerning this communication or earlier communications from

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the examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 8:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)308-9052. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-9669.

Jungwon Chang  
November 24, 2003



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